



JOHN ENGLER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
CADILLAC DISTRICT OFFICE

US EPA RECORDS CENTER REGION 5



523347



RUSSELL J. HARDING
DIRECTOR

June 12, 2002

CERTIFIED MAIL – 7001 0320 0001 9065 8479

Mr. Christopher Hubbell
Williamsburg Receiving and Storage
10190 Munro Road
Williamsburg, MI 49690

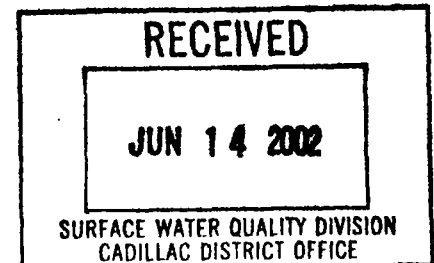
Dear Mr. Hubbell:

SUBJECT: NOTICE OF VIOLATION

DEQ Complaint Number 02-28-0013-V

Property Location: Grand Traverse County, T28N, R9W, Section 9 16

Waterbody: Wetlands



The Department of Environmental Quality (DEQ) has conducted an investigation and has determined that there has been recent unauthorized activity on the above referenced parcel of property. You have been identified as the landowner (and/or contractor) who:

Placed several truckloads of cherry pits from your processing facility in wetlands adjoining Munro Road and contiguous to wetlands along Tobeco Creek. Besides the 50-100 cubic yards of cherry pits placed in the wetland, the site investigation revealed approximately 1/2 to 3/4 of an acre (total) of minor dredging and filling (leveling/scraping) in the wetlands on the east side of Munro Road. The attached sketch lists the general details of the site.

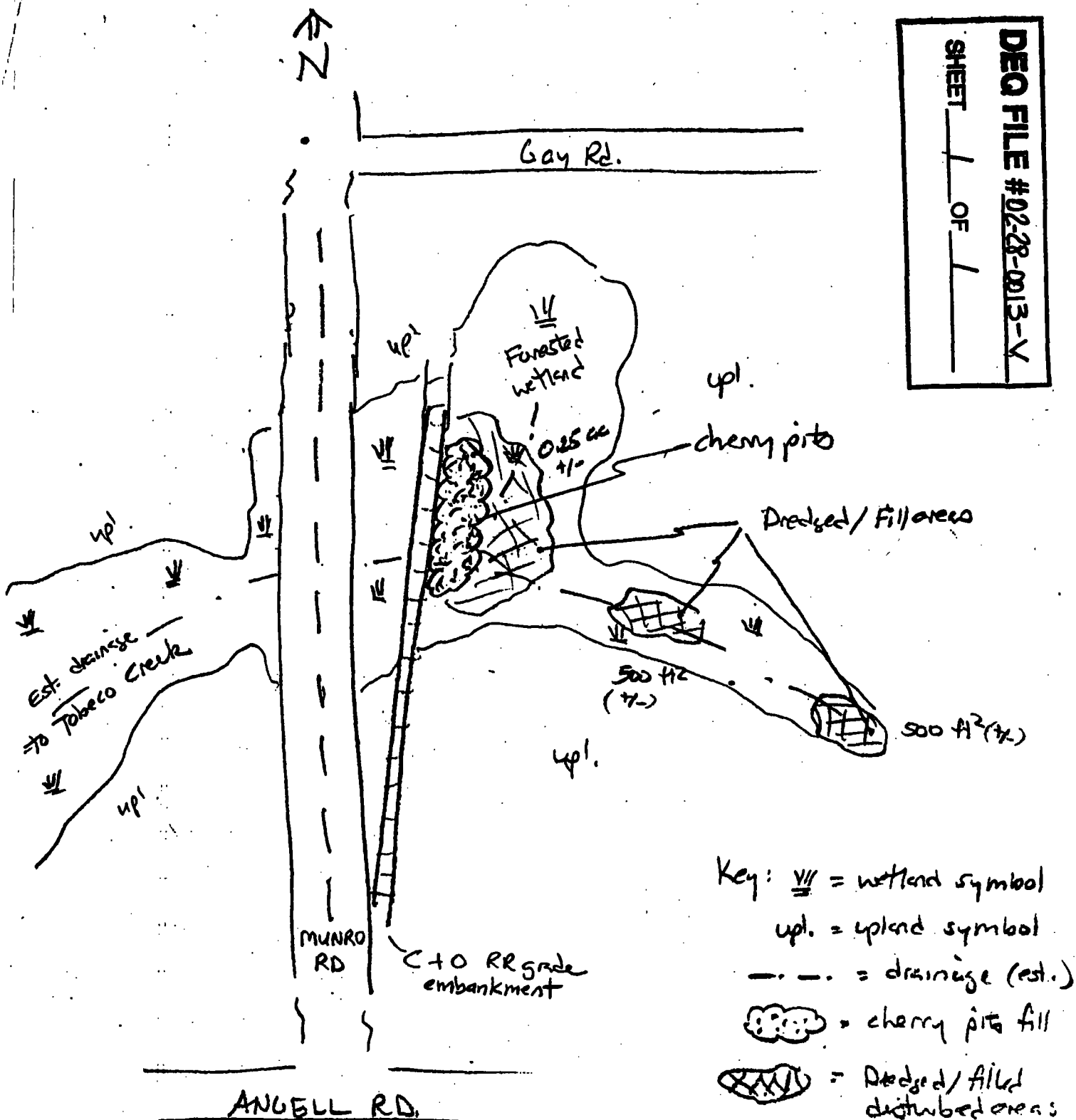
A permit is required prior to the start of this type of activity. A review of the DEQ's files indicate that no permits have been issued. The DEQ has, therefore, determined that this activity is in violation of Part 303, Wetlands Protection of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. Violation of this Part may subject the violator to enforcement action as provided by the statute.

The DEQ advises you to stop all unauthorized activity and bring the site into compliance with Part 303, Wetlands Protection, within 30 days of the date of this letter.

To comply with Part 303, Wetlands Protection, you must stop further dredging/filling/leveling of the wetlands and remove all of the stockpiled cherry pits from the wetlands. The pits must be stockpiled on available uplands or dispersed on the orchards. Removal of the cherry pits from the wetland and cessation of all surface disturbance will immediately resolve this complaint and terminate further file processing.

Submit to this office, in writing, within ten days of receipt of this letter, the following information:

1. Reasons for the project.
2. Date work was undertaken.
3. Name(s) of the contractor(s) who did the work.
4. Your full name, date of birth, and social security number.
5. A reasonable timetable for restoration of the site, not to exceed 30 days.
6. Any additional information you would like the DEQ to consider in reviewing this matter.



Sketch of C. Hubbell site, T28N, R9W, sec. 9, Whitewater Twp.

MDEQ COMPLAINT FILE # 02-28-13-V

Date: June 5, 2002

by: Barry Peterman, MDEQ, LUMA, Cadillac